



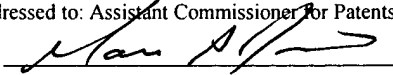
PATENT
Docket No. 393032022200

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Marco A. Jimenez

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*4/Electronic
Cheresa
3-4-03*

In the application of:

Yoshiki NISHITANI et al.

Serial No.: 09/758,632

Filing Date: January 10, 2001

For: APPARATUS AND METHOD FOR
DETECTING PERFORMER'S MOTION
TO INTERACTIVELY CONTROL
PERFORMANCE OF MUSIC OR THE
LIKE

Examiner: Marlon T. Fletcher

Group Art Unit: 2837

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RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

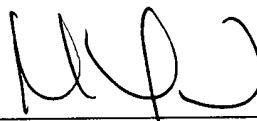
Dear Sir:

This is in response to the restriction requirement set forth in the Office Action dated January 29, 2003, for which a response is due on February 28, 2003. The Applicants respectfully elect Group I (Claims 1-21, 33-71, 166, 168, 169, 177, 179 and 180). This election is made without traverse. The Applicants expressly reserve their right under 35 U.S.C. § 121 to file a divisional application directed to the nonelected subject matter during the pendency of this application, or an application claiming priority from this application.

In view of the foregoing, the Applicants respectfully request an examination on the merits of the elected claims.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 393032022200. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

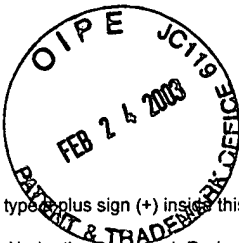


Dated: February 24, 2003

By:

Mehran Arjomand
Registration No. 48,231

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02-26-03

2837

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PTO/SB/21 (08-00)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/758,632		
	Filing Date	January 10, 2001	
	First Named Inventor	Yoshiki NISHITANI et al.	
	Group Art Unit	2837	
	Examiner Name	Marlon T. Fletcher	
Total Number Of Pages In This Submission		Attorney Docket No.	393032022200

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Formal Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / <u>Response to Restriction Requirement</u>	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Mehran Arjomand MORRISON & FOERSTER LLP 555 West Fifth Street, Los Angeles, CA 90013-1024
Signature	
Date	February 24, 2003

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Marco A. Jimenez

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